

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

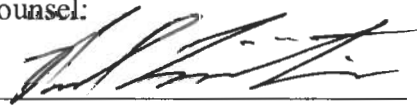
_____	X	
JOSEPH LABICK,	:	ECF CASE
	:	
Plaintiff,	:	07 CV 6846 (SCR)
	:	
- against -	:	NOTICE OF MOTION
	:	
CONSOLIDATED EDISON COMPANY	:	
OF NEW YORK, INC.,	:	
	:	
Defendant.	:	
_____	X	

PLEASE TAKE NOTICE that pursuant to Fed. R. Civ. P. 12(b)(6) and 29 U.S.C. § 1144(a), and upon the accompanying Declaration of Paul Limmiatis and exhibits thereto, Memorandum of Law, and Notice to Pro Se Litigant Pursuant to Local Civil Rule 12.1, Defendant Consolidated Edison Company of New York, Inc. will move this Court, before the Honorable Stephen C. Robinson, United States District Judge, at the United States Court House for the Southern District of New York, 300 Quarropas Street, White Plains, New York, at a date and time to be determined, for an Order dismissing the action for failure to state a claim upon which relief can be granted.

Dated: New York, New York
August 7, 2007

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